

## **REMARKS**

### **I. Introduction**

Claims 13 to 25 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants express appreciation for the acknowledgment of the claim for foreign priority and the indication that all certified copies of the priority documents have been received.

### **II. Objections to the Specification**

Regarding the objection to the Abstract, the Examiner will note that the Abstract as presented contains **less than** 150 words and otherwise complies with the requirements of M.P.E.P. § 608.01(b).

Regarding the objection to the disclosure, the Examiner will note that the phrase "Ab exchangeable spray lance" on page 2, line 13 of the Specification has been amended as suggested.

Accordingly, withdrawal of these objections is respectfully requested.

### **III. Rejection of Claims 13 to 16 Under 35 U.S.C. § 102(b)**

Claims 13 to 16 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,366,562 ("Schwarze et al."). It is respectfully submitted that Schwarze et. al does not anticipate these claims for at least the following reasons.

Claim 13 relates to a low-pressure spray module for spray cleaning a component, including: a receiver tank for holding a flushing medium, an inlet side of the receiver tank being pressurized using compressed air from a compressed air source; a spray lance for pressurized spraying of the component using the flushing medium, the spray lance being connected to an outlet side of the receiver tank; a collection tank positioned for collecting contaminant-particles-containing flushing medium after the pressurized spraying of the component; and an analysis filter coupled to an outflow side of the collection tank, the contaminant-particles-containing flushing medium being extracted from the collection tank through the outflow side using a vacuum pump, the analysis filter performing filtering of contaminant particles from the contaminant-particles-containing flushing medium, and the analysis filter collecting the contaminant particles for later analysis.

Although Applicants may not agree with the merits of the rejection, to facilitate matters, claim 13 has been amended to recite that **the analysis filter is positioned remotely from the collection tank and connected to the collection tank via a line**. Support for this amendment may be found, for example, on page 4, lines 13 to 14 of the Specification, as well as in Figure 1.

Schwarze et al. does not disclose, or even suggest, the above-mentioned feature. As is apparent from the Figure of Schwarze et al., the waste water funnel (24), which the Office Action contends to constitute a collection tank, is **directly attached** to filter (25), and the filter (25) is neither positioned remotely from the waste water funnel (24), nor connected to the waste water funnel (24) via a line. Accordingly, it is respectfully submitted that Schwarze et al. does not anticipate claim 13 for at least these reasons.

As for claims 14 to 16, which ultimately depend from claim 13 and therefore include all of the features of claim 13, it is respectfully submitted that Schwarze et al. does not anticipate these dependent claims for at least the reasons set forth above.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

#### **IV. Rejection of Claims 17 and 18 Under 35 U.S.C. § 103(a)**

Claims 17 and 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Schwarze et al. and U.S. Patent Application Publication No. 2003/0010852 ("Schommer"). It is respectfully submitted that the combination of Schwarze et al. and Schommer does not render these claims unpatentable for at least the following reasons.

Claims 17 and 18 ultimately depend from claim 13 and therefore include all of the features of claim 13. As set forth in detail in Section III of this response, Schwarze et al. does not disclose, or even suggest, all of the features of claim 13. In addition, Schommer does not disclose, or even suggest, all of the features of claim 13 not disclosed or suggested by Schwarze et al. Accordingly, it is respectfully submitted that the combination of Schwarze et al. and Schommer does not render unpatentable claims 17 and 18, which depend from claim 13.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**V. Rejection of Claim 19 Under 35 U.S.C. § 103(a)**

Claim 19 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Schwarze et al. and U.S. Patent No. 5,228,467 ("Gilliam, Jr. et al."). It is respectfully submitted that the combination of Schwarze et al. and Gilliam, Jr. et al. does not render this claim unpatentable for at least the following reasons.

Claim 19 depends from claim 13 and therefore include all of the features of claim 13. As set forth above, Schwarze et al. does not disclose, or even suggest, all of the features of claim 13. In addition, Gilliam, Jr. et al. does not disclose, or even suggest, all of the features of claim 13 not disclosed or suggested by Schwarze et al. Accordingly, it is respectfully submitted that the combination of Schwarze et al. and Gilliam, Jr. et al. does not render unpatentable claim 19, which depends from claim 13.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**VI. Rejection of Claims 20, 21 and 25 Under 35 U.S.C. § 103(a)**

Claims 20, 21 and 25 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent Application Publication No. 2004/0107782 ("Bradley et al.") and French Patent Application Publication No. 2 704 780 ("Viel"). It is respectfully submitted that the combination of Bradley et al. and Viel does not render these claims unpatentable for at least the following reasons.

Claim 20 includes features analogous to claim 13 and has been amended in a manner analogous to claim 13 to recite that the analysis filter is positioned remotely from the collection tank and connected to the collection tank via a line.

Bradley et al. does not disclose, or even suggest, the above-mentioned feature. As is apparent from Figure 4 and paragraph [0064], lines 9 to 15 of Bradley et al., when the filter head (70) is attached to the fluid chamber (46) that the Office Action considers to constitute a collection tank, the hydrophilic filter (54), which is situated inside filter head (70), and which the Office Action considers to constitute an analysis filter, is **directly attached** to fluid chamber (46) and is neither positioned remotely from the fluid chamber (46), nor connected to the fluid chamber (46) via a line. Furthermore, as indicated in Figure 1 of Viel, filter (29) is situated **directly inside** container (28), and is therefore not positioned remotely from container (28) or

connected to container (28) via a line. Thus, Viel does not cure the deficiencies of Bradley et al. with respect to at least the above-mentioned feature. Accordingly, the combination of Bradley et al. and Viel does not render claim 20 unpatentable for at least these reasons.

As for claims 21 and 25, which depend from claim 20 and therefore include all of the features of claim 20, it is respectfully submitted that the combination of Bradley et al. and Viel does not render these dependent claims unpatentable for at least the reasons set forth above.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**VII. Rejection of Claim 22 Under 35 U.S.C. § 103(a)**

Claim 22 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Bradley et al., Viel and Schommer. It is respectfully submitted that the combination of Bradley et al., Viel and Schommer does not render this claim unpatentable for at least the following reasons.

Claim 22 ultimately depends from claim 20 and therefore includes all of the features of claim 20. As set forth above, neither Bradley et al., nor Viel discloses, or even suggests, all of the features of claim 20. In addition, Schommer does not disclose, or even suggest, all of the features of claim 20 not disclosed or suggested by Bradley et al. and Viel. Accordingly, it is respectfully submitted that the combination of Bradley et al., Viel and Schommer does not render unpatentable claim 22, which depends from claim 20.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**VIII. Rejection of Claim 23 Under 35 U.S.C. § 103(a)**

Claim 23 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Bradley et al., Viel, Schommer and U.S. Patent No. 5,925,193 ("Bude et al."). It is respectfully submitted that the combination of Bradley et al., Viel, Schommer and Bude et al. does not render this claim unpatentable for at least the following reasons.

Claim 23 ultimately depends from claim 20 and therefore includes all of the features of claim 20. As set forth above, neither Bradley et al., nor Viel, nor Schommer discloses, or even suggests, all of the features of claim 20. In addition,

Bude et al. does not cure the deficiencies of Bradley et al., Viel and Schommer. Accordingly, it is respectfully submitted that the combination of Bradley et al., Viel Schommer and Bude et al. does not render unpatentable claim 23, which depends from claim 20.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**IX. Rejection of Claim 24 Under 35 U.S.C. § 103(a)**

Claim 24 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Bradley et al., Viel and U.S. Patent No. 4,020,676 (“Nuxhall et al.”). It is respectfully submitted that the combination of Bradley et al., Viel and Nuxhall et al. does not render this claim unpatentable for at least the following reasons.

Claim 24 depends from claim 20 and therefore includes all of the features of claim 20. As set forth above, neither Bradley et al., nor Viel discloses, or even suggests, at least the feature of claim 20 that the analysis filter is positioned remotely from the collection tank and connected to the collection tank via a line. In addition, as indicated in Figure 1 and column 3, lines 8 to 11 of Nuxhall et al., filter (30), which is positioned downstream from container (13), is **directly connected** to container (13), and not positioned remotely from container (13) or connected to container (13) via a line. Thus, Nuxhall et al. does not cure the deficiencies of Bradley et al. and Viel with respect to at least the above-mentioned feature. Accordingly, it is respectfully submitted that the combination of Bradley et al., Viel and Nuxhall et al. does not render unpatentable claim 24, which depends from claim 20.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**X. Conclusion**

In light of the foregoing, Applicants respectfully submit that all pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

Dated: January 16, 2009

By: /Clifford A. Ulrich/  
Clifford A. Ulrich, Reg. No. 42,194 for  
Gerard A. Messina (Reg. No. 35,952)

KENYON & KENYON LLP  
One Broadway  
New York, NY 10004  
Telephone: (212) 425-7200  
Facsimile: (212) 425-5288  
CUSTOMER NO. 26646